

**FULBRIGHT & JAWORSKI L.L.P.**

A REGISTERED LIMITED LIABILITY PARTNERSHIP

690 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701

TELEPHONE: 512/474-5201  
FACSIMILE: 512/536-4598

STEVEN L. HIGHLANDER  
PARTNER

INTERNET ADDRESS:  
SHIGHLANDER@FULBRIGHT.COM

DIRECT DIAL: 512/536-3184



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November 14, 2001

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FILE: MXGN:005USC2

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:	
November 14, 2001	
Date	Steven L. Highlander

**COPY OF PAPERS  
ORIGINALLY FILED**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, DC 20231

RE: *SN 09/813,444 "DIRECTED EVOLUTION OF ENZYMES AND ANTIBODIES"*  
- Brent Iverson et al. (Client Reference: UTSB:620USC2/80160.420)

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed May 2, 2001;
- (2) Declaration of Brent L. Iverson, George Georgiou, Gang Chen, Mark J. Olsen and Patrick S. Daugherty;
- (3) A Revocation and Substitute Power of Attorney;
- (4) Associate Power of Attorney;
- (5) Request for Extension of Time;
- (6) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (7) Checks in the amount of \$786.00 and \$980.00; and

Commissioner for Patents

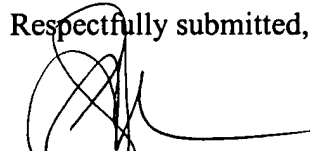
November 14, 2001

Page 2

- (8) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10102535/SLH.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven L. Highlander", written over a circular stamp or seal.

Steven L. Highlander

Reg. No. 37,642

SLH/mar

Encl: as noted

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## UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/813,444	03/20/2001	Brent Iverson	MXGN:005USC2

CONFIRMATION NO. 3269

## FORMALITIES LETTER



\*OC00C000006029684\*

 Steven L. Highlander, Esq.  
 PULBRIGHT & JAWORSKI L.L.P.  
 Suite 2400  
 600 Congress Avenue  
 Austin, TX 78701

Date Mailed: 05/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

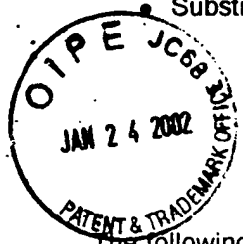
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$345.
  - \$225 for 25 total claims over 20.
  - \$120 for 3 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 765.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*



Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been **omitted** from the application:

- Figure(s) 11 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in cursive script, likely belonging to a representative of the Customer Service Center.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

### **Notification of Potential Duplicate Documents**

The Office of Initial Patent Examination (OIPE) has reviewed the Revenue Accounting and Management (RAM) System records for this application and identified that the fee(s) authorized or paid with the submission of the attached document was previously posted in RAM. To avoid duplicate fee charges, OIPE has not charged the fee(s) authorized on this document. If the fee(s) was paid by check, OIPE has issued an Electronic Funds Transfer (EFT) refund.

If the attached document is not a duplicate, the office responsible for processing this document must collect the appropriate fee(s).

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